

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLARD OVERHOLTZER,
Plaintiff,
v.
JOHN KELSEY, JR., et al.,
Defendants.

No. 1:23-cv-01090-ADA-BAM

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

Defendants John Kelsey, Jr. and Ashley Geraci removed this case from El Dorado Superior Court on July 20, 2023. (*See* ECF No. 1.) The alleged facts underlying Plaintiff's complaint occurred in El Dorado County, which is part of the Sacramento Division of the United States District Court for the Eastern District of California. Therefore, Defendants should have filed the notice of removal in the Sacramento Division. *See* E.D. Cal. R. 120(d).

"Whenever in any action the Court finds upon its own motion, motion of any party, or stipulation that the action has not been commenced in the proper court . . . the Court may transfer the action to another venue within the District." *Id.* 120(f). Because the Court finds that this case was filed in the wrong venue, it will, sua sponte, order transfer to the Sacramento Division.

Accordingly,

1. This action is transferred to the United States District Court for the Eastern District of California sitting in Sacramento; and

2. All future filings shall refer to the new Sacramento case number assigned and shall be filed at:

United States District Court
Eastern District of California
501 I Street, Suite 4-200
Sacramento, CA 95814

IT IS SO ORDERED.

Dated: July 24, 2023


UNITED STATES DISTRICT JUDGE